

EXHIBIT D

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

-----X
WENGUI GUO
a/k/a MILES KWOK

Civil Action No.:

Plaintiff,

COMPLAINT

v.

BIAO TENG

Defendant.
-----X

Plaintiff, Wengui Guo, a/k/a Miles Kwok (hereinafter, “Guo” or “Plaintiff”), by counsel, The Law Offices of Cohen & Howard, LLP, for his complaint against Defendant Biao Teng (hereinafter, “Teng” or “Defendant”), states the following:

STATEMENT OF THE CASE

Plaintiff brings this action for the false, misleading, disparaging, defamatory, and physically threatening statements by Defendant regarding Plaintiff and his family members.

1. Plaintiff Guo is a Chinese political dissident living in at 751 Fifth Avenue, in New York, New York. From the beginning of 2015, he regularly speaks on YouTube and Twitter about Chinese politics and human rights issues.

2. Guo is a pioneer of using YouTube and Twitter to fight for the rule of law, human rights, freedom and democracy in China. Guo has exposed widespread corruption

in the Chinese Communist Party (“CCP”), multiple senior officials of the Chinese Government, and their family members.

3. Guo’s whistleblower actions have made an unprecedented impact on the international image and credibility of the Communist Party of China. Guo’s disclosures not only show the ways the Chinese people are tortured under the kleptocracy but also the current unfavorable environment for the development of democracy and rule of law in China.

4. Guo’s Twitter account, @KwokMiles, has approximately 491,000 followers at present. He has the largest number of supporters among all Chinese Twitter users. Guo regularly uses this account to engage with other Chinese dissidents.

5. In the past 70-year rule of the Communist Party, Guo is the one man who single-handedly challenged the CCP and exposed the CCP’s building of an intelligence network in the United States and other countries.

6. Guo has exposed the degree of China’s cultural, political, economic and intelligence penetration in the United States and the West, which has sparked strong reaction in the world. Guo is a true advocate of democracy, freedom, and rule of law in China.

7. Defendant Teng also holds himself out to the public as a Chinese pro-democracy activist. Teng’s Twitter account, @tengbiao has approximately 185,000 followers, or slightly more than one-third of the number of Guo’s followers. Upon information and belief, Teng resides at 4 Jill Drive in Princeton Junction, New Jersey 08550.

8. As will be discussed herein, Teng used (and continues to use) his Twitter account to publish false, misleading, disparaging, and defamatory statements about Guo to Teng's 185,000 followers, which are then "retweeted" by his followers, compounding and enhancing the harm to Guo and his family.

9. Teng's tweets have led Plaintiff and his family to suffer substantial mental anguish and economic loss. Teng's statements are systematically "retweeted" by his followers tens of thousands of times, compounding the harm to Guo and his family.

10. Specifically, from in and around late October 2017 to the present, via Teng's Twitter account, and via public comments to third parties, Teng falsely and maliciously alleged that Guo had committed bribery, fraud, torture, espionage, money laundering, forgery, rape, debauchery, and discrimination. By way of specific example, Defendant, with malicious intent and knowing it to be false, published the following on Twitter: "Embedded with corruption, debauchery, lies, alcohol, luxury, verbal abuse, Guo Wengui is the flower of evil created by the system of Chinese Communist Party."¹

11. Teng also falsely and maliciously described Guo as having the following characteristics: Extreme, Improper, Bizarre, "Full of lies", Abusive, Nasty, Narcissism, Lack of credibility, Emotional instigator, and Autocrat. Teng also attempted to associate Guo with the following mental and psychological disorders: Mythomania, Coprolaliac, Authoritarian personality, Narcissistic personality disorder, Histrionic personality disorder, Borderline personality disorder.²

12. Teng's actions against Guo enhance the official propaganda and false accusation by the Chinese Communist Party against Guo.

¹ See <http://minzhuzhongguo.org/MainArtShow.aspx?AID=92408>

² See again <http://minzhuzhongguo.org/MainArtShow.aspx?AID=92408>

13. Teng's actions are similar to the alleged use of "unrestricted warfare" by the Chinese Communist Party.

14. Teng's actions have posed serious threats to Guo's mental and physical health, and his business and family relationships.

15. Teng's defamatory and malicious Twitter posts remain active on social platforms and thus remain available to the public. As such, Teng's defamation of Guo is ongoing.

16. Teng's false, defamatory, and malicious Twitter posts threaten to destroy Plaintiff's reputation. As a result of Teng's actions, Guo has been and continues to be substantially and irreparably harmed.

17. As a result of Teng's threatening, defamatory and malicious Twitter posts, Guo has been and continues to be substantially and irreparably harmed and under intense fear for his personal safety and the potential severe and irremediable harm to his family.

PARTIES AND JURISDICTION

18. Guo is and was at all times relevant hereto an adult resident of New York, New York.

19. Teng, upon information and belief is and was at all time relevant hereto an adult resident of Princeton Junction, New Jersey.

20. Jurisdiction is proper pursuant to, *inter alia*, 28 U.S.C. 1332, as there is complete diversity between the parties and the amount in controversy, exclusive of costs and interest, exceeds \$75,000, and Defendant is a resident of New Jersey.

21. Venue is proper in the Court pursuant to, *inter alia*, 28 U.S.C. 1391, because a substantial part of the events giving rise to the claims presented herein occurred in the District of New Jersey, and Defendant is found in this District.

FACTUAL BACKGROUND

Guo's Childhood

22. Plaintiff Guo Wengui grew up very poor in the Northeast of China, where his parents were exiled by the Chinese Communist Party ("CCP") during the Cultural Revolution.

23. Because of his experience in the Cultural Revolution, Guo was opposed to the system of communism and hegemony when he was a boy.

24. Guo, his seven brothers, and his parents lived in harsh, austere, frigid and unjust social and political environment throughout his childhood.

25. Guo's childhood conditions were so severe that, as a child, Guo, would regularly check the communal water well to find his mother when he would lose sight of her to make sure she did not commit suicide by jumping into the well to end the constant suffering.

26. Guo has spoken out about such unjust social behaviors. For example, Guo appealed for a mother living in Chinese poor mountainous area who killed her four sons and then committed suicide due to poverty in his videos for many times. This poor mother committed suicide because her RMB300 (about \$50) poverty alleviation fund was embezzled by local officials.

27. As a teenager, Guo began his life as a businessman. He dropped out of middle school to focus on selling jeans, radios, and other electronics. He used his earnings to help poor people like him and to improve his family's living conditions.

28. Due to the extreme poverty of his family and his precocity, Guo was opposed to traditional feudal marriage and paid more attention to family values.

29. Guo met his wife in 1985 and married her in elopement. They've been lovingly married for 33 years and are still married today. They have a son and a daughter.

30. To reach this level of success from such humble beginnings is a rare achievement among all the successful entrepreneurs at that time given the economic and political conditions in the several decades after the reform and "opening-up" of China.

31. At the time Guo and his wife were married, China was in the full control of the CCP and no private business was allowed. As Guo constantly struggled to feed, clothe, and shelter his family, he cherished the poor and the downtrodden and understood their life. He became more unsatisfied with the autocratic system and the one-party system of the CCP. Meanwhile, Guo was also one of the entrepreneurs who made his fortune and achieved early success via his own efforts at that time.

32. During the Tiananmen Square Massacre in 1989, Guo was arrested on May 26 and sent to jail for two years because he sold his imported motorbike and donated the vast proceeds of the sale (RMB3,600, about \$500) to the protesting students in different places. When the police knew what Guo did, they arrested him for "commercial fraud" and "illegal operation" and imprisoned him for two years (1989 -1991).

33. During his imprisonment, he was jailed together with many pro-democracy activists and political dissidents, when he began his life against the autocratic regime of the CCP.

34. During the arrest on May 26, 1989, two drunken policemen raided Guo's office and fired their weapons directly at his young wife, who was holding his three-month-old baby daughter. His younger brother, the 8th brother in his family, tried to protect Guo's wife and daughter and was shot twice in the altercation.

35. Subsequently, the 8th brother of Guo was sent to hospital, but the policemen who shot him instructed the doctors to refuse him any medical care and locked the door.

36. As a result, Guo's brother, one week shy of 18 years old at that time, died from exsanguination because of the shots two days later.

37. This incident intensified Guo's disdain towards the autocratic regime and social inequality and strengthened his conviction that China was in need of democracy, rule of law, and freedom.

38. This incident is also a driving force for Guo to fight against autocracy for rule of law, democracy and freedom 29 years later.

39. As a result of these tragic events, all of which flowed from his charitable and selfless donation to the Tiananmen Square protesters, Guo vowed to become a persistent and brave advocate against the Chinese kleptocracy.

40. During the two-year imprisonment, Guo made acquaintance with the imprisoned pro-democracy activists, who gave him the education of religion, rule of law

and democracy, and planned for having strong financial capability to pay back his parents. He also hoped to become a man of influence in a certain field.

41. According to his plan, after ensuring the welfare of his parents and seeing his children reach adulthood, he would start fighting for rule of law, democracy and freedom.

Guo's Family

42. As discussed above, Guo and his wife were married when he was 15 years old and his wife was 14 years old. They remain married today -- more than 33 years later.

43. Because of the impact of the Cultural Revolution, China does not have a well-established household registration and passport information system.

44. In China, many people would only apply for ID cards or passports after they legally become adults.

45. As such, despite Guo's passport showing a birth year of 1968, he was in fact born in 1970.

46. Guo became a father to a son when he was 16 years old. Guo's son now is a very talented and successful investor.

47. Guo became a father to a daughter when he was 18 years old. Guo's daughter lives with her parents in New York City. She graduated from New York University and is now a talented film director.

48. Guo's daughter worked as the vice-director to Mr. Yimou Zhang in Mainland China, Mr. Zhang is the director of many internationally acclaimed movies, including Crouching Tiger, Hidden Dragon, which was very well received in the West. Guo's daughter also directed several short films related to public welfare issues.

49. Guo's parents are in their eighties and still live in China. They are regularly threatened, persecuted, and intimidated by the CCP as a result of Guo's whistle blowing and political advocacy.

50. Guo's parents (and, indeed all of Guo's family members who remain in China) are also under the control of the Special Task Force comprising of thousands of members from the police and the central government.

51. Two of Guo's brothers are currently imprisoned in China as a result of Guo's whistle blowing and advocacy.

52. Because of Guo's opposition of the CCP regime, his accusations of corruption against senior CCP officials, and his exposing Chinese intelligence agents hidden in the United States and elsewhere in the West, 18 members of Guo's family, including his brothers and brothers-in-law, his wife and his daughter have been detained by the CCP.

53. Two brothers and a niece of Guo were sentenced to imprisonment of three years, three years and five months, and two years and six months, respectively.

54. Many of Guo's family members who remained in mainland China have been (and continue to be) detained, tortured, interrogated, and monitored by the special task force comprising several thousands of members from the police, CCDI and the State Security Department.

55. Many of Guo's family members suffer from depression and suicidal tendencies as a result of the CCP's oppression and harassment.

56. Many of Guo's colleagues have disappeared and left no trace.

57. Since his exile, the CCP has seized more than \$17,000,000.00 in cash and assets owned by Guo's family and himself.

Guo's business

58. Throughout the 1990s and 2000s, Guo (and his family members) became involved in the real estate business in mainland China.

59. Guo and his family established Henan Yuda in 1991. Henan Yuda is a high-end commercial complex project started with an investment of more than \$300,000.00. At the time of its construction, the hotel was the most high-class as well as one of the five tallest buildings in China.

60. Guo's credits the success of the Henan Yuda project to Guo's spiritual and cultural growth while he was imprisoned for two years. It was also the result of Guo's strong will to revolutionize China's system and the miracle in commemoration of the death of his younger brother.

61. In 1999, Guo and his family established Pangu Plaza (500,000 square meters) and Zenith Plaza (1.5 million square meters).

62. Beijing Pangu was designed by Guo and noted Taiwanese architect C.Y. Lee.

63. Beijing Pangu is the only privately owned commercial complex in the Beijing Olympic area.

64. Guo and his family invested in this area as early as in 2001. Which exhibits his precise judgment regarding China's politics and economy, which has brought substantial return and regard for his family.

65. After completing the complex projects of Beijing Pangu and Zenith Plaza with a total area of approximately 2 million square meters, Guo announced the withdrawal of all of his family's real estate investments in disgust at the corruption of the industry in China.

66. Guo and his family started to invest in the Chinese securities and financial sectors. His family also made an acquisition of a listed company of Peking University, namely, Founder Securities Co. Ltd.

67. During Guo's career as a real estate developer, his family never secured a single piece of land from the Chinese authority nor the Chinese Government. Only private land and collectively-owned land were used in their development projects.

68. Because of the incidents in 1989 and 1991, Guo clearly separated himself from the Chinese Government and the state-owned enterprises. It was not easy for him to do so, but it is the reason for his success today.

69. Guo is a man of integrity and honesty, who is always prepared to fight for China's rule of law, democracy and freedom. It is also the fundamental reason why Guo has been subject to baseless investigation for a long time but he has not been found guilty of any offenses since the arrest of Guo's family members and colleagues made by the Special Task Force in 2015.

70. From 2014 to 2015, the Chinese Government formed the Special Task Force consisting of thousands of members from the CCCDI, the Ministry of State Security and the Chinese police.

71. The Special Task Force arrested hundreds of employees who were working in Guo's family enterprises and 18 of Guo's family members.

72. The CCP also imposed controls on the mobility rights of nearly 6,000 Guo family's employees.

73. The Special Task Force conducted countless investigations of Guo, but were never able to find any evidence of criminal behavior by Guo. This fact was confirmed in meetings Guo had with high ranking Chinese officials of the Ministry of State Security, representing the Central Government, in London and New York.

74. Despite these facts, Guo's financial successes and his political activism and whistleblowing against corrupt CCP officials lead to his prosecution by those corrupt CCP officials.

75. There is little doubt that the Chinese Government is worried about Guo's disclosure of the corruption of its senior leaders. The Chinese Government believes that Guo has criminal or embarrassing evidence related to senior government leaders and is concerned about the enormous impact on the CCP made by Guo's open opposition of the communist system.

76. Therefore, the Chinese Government made a series of attempts to bribe, coerce and hunt down Guo.

77. The Chinese Government also made use of its overseas intelligence network to discredit Guo and pose threats to his personal safety on an unprecedented scale. Teng's actions are consistent with the Chinese Government's actions to discredit Guo.

78. Since the establishment of the People's Republic of China, Guo has become the premier political dissident of China who is the most influential and effective

in challenging the Chinese political system and taking actions against corruption of the senior leaders.

Guo's Emergence as a Preeminent Whistleblower and Critic of Corruption

79. Due to special political conditions, the Chinese Government generally controls, supervises and threatens all large enterprises. Guo's family enterprise was also supervised and was believed to be a potential pawn used by the Ministry of State Security of China for international issues.

80. In 2006, Guo's family enterprise was blackmailed by the former Vice Mayor of Beijing, Liu Zhihua. After Guo reported it to the police, he became under the control of and befriended Ma Jian, the Vice Minister of State Security at the time.

81. In or about December, 2014, the CCP, through Bruno Wu Zheng (Guo believes Bruno Wu Zheng is a professional spy trained by China), called Guo.

82. Wu requested that Guo cooperate with the CCP by being obedient and stop disclosing information about corruption by senior communist officials.

83. After several failed attempts of bribing, threatening and hunting down of Guo, Bruno Wu Zheng directed the CCDI and the Special Task Force to request Guo to cooperate with China and return the evidence showing the corruption of the senior leaders (including Wang Qishan, Meng Jianzhu and others) they believe Guo possessed.

84. In return, Bruno Wu Zheng promised Guo the following: a. None of Guo's assets or properties will be seized by the CCP; b. All privileges will be returned to Guo and his family; c. Ma Jian will not be arrested; d. Guo's family members will not be arrested; and e. Guo will not be physically threatened or killed. Guo would have to agree

to be cooperative and hand over the information to the Communist Party. Guo could not be anti-communist or against the country.

85. Guo refused to accept Bruno Wu Zheng's offer, which led to the persecution of Guo and his family since 2015.

86. As a result, the CCP seized billions of dollars of Guo's family's assets and questioned and arrested 18 of Guo's family members, and arrested or detained hundreds of his colleagues. Over 6,0000 of Guo's colleagues have been restrained from leaving China.

87. As part of Guo's whistleblower actions, he disclosed the corruption of Hainan Group ("HNA"), which was widely reported by media over the world. The information disclosed by Guo was proven to be true.

88. Guo also disclosed the corruption of Wang Qishan and Meng Jianzhu, two of the most powerful men in China. Again, his claims were proven to be true.

89. Guo is recognized as one of the ten most dangerous challengers to Chinese Regime by Chinese Communist Party.

90. Guo's whistle blowing is regarded as the biggest political incident after the Tiananmen Square Massacre.

91. Guo is supported by more than 100 million people in Mainland of China, despite that fact that his words (and statements in support of Guo) are regularly censored by the CCP.

92. Because of Guo's whistleblower actions, China blocked almost all social media platforms to prevent Guo from making any further disclosure and the truth he disclosed from being known in China.

93. Guo is also supported by more than 10 million supporters outside of China. In May 2017, Guo's Twitter account had more than 3.8 billion impressions.

94. In another effort to silence Guo, in May, 2017, the CCP sent Liu Yanping and three other agents to New York City to speak with Guo.³ At the time, Liu Yanping was Secretary of Commission for Discipline Inspection, Ministry of National Security of China.

95. Guo refused this threat as well, choosing instead to disclose the existence of a broad network of CCP spies in the United States.⁴

96. The visas of four officials sent by CCP, including Liu Yanping, were cancelled because of their illegal actions in the United States. All of their electronic devices were taken away by U.S. law enforcement agencies at the departure hall of JFK Airport.

97. The CCP took another approach to silence Guo. Via Interpol, the CCP issued 2 "Red Notices." One was issued just a couple of hours before Guo did VOA live interview in the end of April 2017; the second was issued just before Guo's disclosure of Wang Qishan and HNA in September of 2017.⁵ The focus of the second interview was to reveal the corruptive connections between one of the most powerful officials in China, Wang Qishan and his family, and HNA, which involves trillions of renminbi.

98. The intervention of the Chinese Ministry of Foreign Affairs on the VOA interview has become an international media scandal. The CCP ordered the sudden

³ See <https://www.wsj.com/articles/chinas-hunt-for-guo-wengui-a-fugitive-businessman-kicks-off-manhattan-caper-worthy-of-spy-thriller-1508717977>

⁴ See <http://freebeacon.com/national-security/chinas-spy-network-united-states-includes-25000-intelligence-officers/>.

⁵ See <https://www.washingtontimes.com/news/2017/oct/25/jeff-sessions-guo-wengui-deportation-to-china-would/>.

termination of the VOA interview by diplomatic means such as visas and other illegal means (the use of its intelligence network) in the US.⁶

99. The CCP also engaged in an unprecedented propaganda campaign against Guo. The CCP formed a team of more than 10,000 people, known as the “50-cent troll army.”

100. Guo’s appearance at Hudson Institute was postponed in short notice in October, 2017 (it was reported that the Institute was threatened by the CCP government).

101. Merely supporting Guo became a crime in mainland China. One of Guo’s supporters, Dong Qi, was reportedly arrested and sent to jail for wearing a T-shirt with Guo’s slogan “Everything is just beginning” on it.^{7 8} Guo is also informed and believes that millions of Guo’s followers have been questioned, restrained, informed and intimidated.

102. The CCP did not stop there. Guo’s previous immigration law firm, Clark Hill, was hacked by China due to its representation of Guo.⁹

103. Guo’s security company T&M Protection was hacked by China as well, an unprecedented cyber-attack.

104. The personal mobile phone of Guo, the phones used by his family members, colleagues and friends were all under cyber- attack, harassment, threat and abuse.

⁶See <https://www.wsj.com/articles/chinese-governments-battle-against-fugitive-guo-wengui-spills-into-washington-1507260255>

⁷ See <https://twitter.com/cppc2014/status/952091242350960640>.

⁸ See <https://twitter.com/cppc2014/status/952091242350960640>.

⁹ See <https://www.wsj.com/articles/chinese-governments-battle-against-fugitive-guo-wengui-spills-into-washington-1507260255>

105. The CCP believes Guo has evidence of widespread corruption, murder, hiding of illegally-gained money and building of a spy network in the West by high level CCP officials. It will stop at nothing to silence Guo.

106. Therefore, the Chinese government sent Bruno Wu Zheng and other major property developers and entrepreneurs such as Steve Wynn to bribe, coerce, and request the President of the United States to repatriate Guo. To date, the United States government has refused these requests.

107. In or around October, 2017, right before China's 19th National Congress, Guo's Twitter, YouTube and Facebook accounts had been suspended without any reason. This became a major incident in the international social media community.

108. The agents and official representatives sent by the CCP constantly organized protests with the signs of "Guo is a rapist," "Guo is a Liar" and "Get Guo out of America" at Guo's New York apartment to harass and threaten Guo.

109. Meanwhile, many purported democracy activists initiated personal attacks and attempts at intimidation against Guo. In recent months, an anti-Guo campaign, involving the use of unrestricted warfare and smearing, was initiated by the Chinese authority.

110. Upon information and belief, Teng is one of the activists paid by the Chinese government to destroy, defame, and otherwise oppose Guo.

Biao Teng's Background

111. Defendant Teng holds himself out to the public as a Chinese pro-democracy activist. Teng's Twitter account, @tengbiao, has approximately 185,000 followers.

112. Little is known about Teng, except the unsubstantiated and self-serving information Teng provides on his twitter bio. Teng does not know Guo personally.

113. In sum, Teng, a man with little history and no fixed source of income (Teng appears to be a nomadic lecturer, despite claiming to be a human rights lawyer), suddenly (as will be discussed below) began a concerted campaign to defame and impugn Guo's reputation. This course of conduct is similar to the strategy and techniques utilized by the CCP's "50 Cent Army".¹⁰

Teng's campaign of defamation¹¹

114. In an online article published by Teng on October 25, 2017, Teng accused Guo of, *inter alia*, bribery, fraud, torture, espionage, money laundering, forgery, rape, debauchery, and discrimination.

115. Teng's October 25, 2017 article also defines Guo as: Extreme, Improper, Bizarre, "Full of lies", Abusive, Nasty, Narcissism, Lack of credibility, Emotional instigator, and Autocrat. Teng also attempted to associate Guo with the following mental and psychological disorders: Mythomania, Coprolaliac, Authoritarian personality, Narcissistic personality disorder, Histrionic personality disorder, Borderline personality disorder.

116. In his October 25, 2017 article, Teng falsely stated that "Embedded with corruption, debauchery, lies, alcohol, luxury, verbal abuse, Guo Wengui is the flower of evil created by the system of Chinese Communist Party."

¹⁰ See <https://www.voanews.com/a/who-is-that-chinese-troll/3540663.html>

¹¹ This is not an exhaustive listing of all false and defamatory statements made about Guo by Teng. Plaintiff's investigation is ongoing, and Teng continues to make defamatory statements about Guo almost every day. Plaintiff reserves the right to amend his Complaint with additional information as such information is discovered. All tweets referenced herein are translated from Mandarin for the Court's convenience.

117. Each of the statements made by Teng in his October 25, 2017 article, along with other statements not mentioned herein, are false and were made with constitutional malice and/or with knowledge of its falsity, and Guo's reputation has been harmed as a result.

118. All of the above referenced statements by Teng and published on Twitter are false and made with the purpose of destroying Guo's personal and professional reputation.

119. The above referenced defamatory statements have harmed Guo. On information and belief, hundreds of thousands of people have viewed these false and defamatory statements and, thus, have been misled about Guo and been given a falsely unfavorable view of Guo.

120. Teng published the above referenced defamatory statements with the purpose of harming Guo's reputation, both within the Chinese activist community and in society at large and causing Guo (and his family) severe emotional distress and fear for their safety.

**FIRST CLAIM FOR RELIEF
(COMMON LAW DEFAMATION)**

121. The allegations contained in paragraphs "1" through "120" are hereby incorporated by reference as if fully set forth herein.

122. Defendant published the above-listed false, malicious, defamatory, and materially misleading statements regarding Plaintiff on Twitter, a public forum where Defendant has more than 185,000 followers.

123. On information and belief, Defendant knew of the falsity of these statements at the time he made them or was reckless and indifferent as to the falsity of these statements.

124. On information and belief, Defendant made these knowingly false statements with actual malice, hatred, and personal animosity towards Plaintiff.

125. Defendant's false statements constitute common law libel, slander, and defamation against Plaintiff, entitling Plaintiff to exemplary damages.

**SECOND CLAIM FOR RELIEF
(DEFAMATION PER SE)**

126. The allegations contained in paragraphs "1" through "125" are hereby incorporated by reference as if fully set forth herein.

127. Defendant's false statements that, *inter alia*, Plaintiff is a rapist, a fraudster, a money launderer, a forger, debaucherous, and "embedded with corruption", and "the flower of evil created by the system of Chinese Communist Party" are statements that charge Plaintiff with underhanded dealings and incapacity and thereby causing injury to Plaintiff in his trade, profession, or business.

128. Defendant's statements enumerated herein are false and were false at the time they were made.

129. On information and belief, Defendant knew of the falsity of his statements at the time they were made or was reckless and indifferent as to the falsity of these statements at the time he made them.

130. On information and belief, Defendant made these knowingly false statements with actual malice, hatred, and personal animosity towards Plaintiff, with the intention of damaging Plaintiff's reputation.

131. The injurious character of Defendant's false statements is a self-evident fact of common knowledge which need not be pleaded or proved.

132. As such, Defendant's false statements are actionable without proof of special damage.

**THIRD CLAIM FOR RELIEF
(INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS)**

133. The allegations contained in paragraphs "1" through "132" are hereby incorporated by reference as if fully set forth herein.

134. Defendant's false statements that, *inter alia*, Plaintiff is a rapist, a fraudster, a money launderer, a forger, debaucherous, and "embedded with corruption", and "the flower of evil created by the system of Chinese Communist Party" were made intentionally with a desire to harm Plaintiff.

135. Defendant's making these statements, both the statements themselves and the manner by which Defendant broadly disseminated these statements, to hundreds of thousands of people, was extreme and outrageous.

136. As a result of Defendant's past and continuing wrongful acts, including those enumerated herein, Plaintiff has suffered severe emotional distress.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment in his favor and against Defendant as follows:

- (a) For an injunction enjoining Defendant and his respective agents, servants, employees, officers, and assigns, and all other persons in active concert or participation with him or her from further publication of any false, malicious, defamatory or materially misleading comments regarding Plaintiff;

- (b) For the issuance of a public apology and retraction of all the statements regarding Guo on social media by Teng.
- (c) For an award of money damages in accordance with the evidence, but not less than ONE MILLION DOLLARS (\$1,000,000), together with interest thereon for damage to Plaintiff's personal and business reputations;
- (d) For an award of punitive damages sufficient to punish and deter the conduct complained of herein;
- (e) For attorneys' fees and costs of suit herein;
- (f) For a retraction of the false, malicious, defamatory, and materially misleading statements complained of herein; and
- (g) For such other and further relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury.

Dated: February 14, 2018

Respectfully submitted,

/s/ Aaron A. Mitchell

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